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ABSTRACT

The Pennsylvania Nonpublic Elementary and Secondary Education Act was passed into law in June 1968. It authorizes the Superintendent of Public Instruction of that State to enter into contracts to purchase secular educational service from nonpublic schools in Pennsylvania. This guide contains (1) the law, (2) definitions of terms, (3) a statement of the general provisions of the law, (4) a timetable of procedures for applying for participation, and (5) samples of documents to be submitted for such application. (DE)

ED034293

Rules And Regulations For Implementing The Pennsylvania Nonpublic Elementary And Secondary Education Act

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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Prepared by
The Office for Aid to Nonpublic Education
Vincent J. McCoola, Coordinator
B. Anton Hess, Commissioner for Basic Education

OFFICE FOR AID TO NONPUBLIC EDUCATION
DEPARTMENT OF PUBLIC INSTRUCTION
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG, PENNSYLVANIA
DECEMBER, 1968

PREFACE

The Nonpublic Elementary and Secondary Education Act—Act 109 of the 1968 General Assembly (House Bill 2170, Printer's No. 3562)—was signed into law by Governor Shafer June 19, 1968. It authorizes the Superintendent of Public Instruction to enter into contracts to purchase secular educational service from nonpublic schools in Pennsylvania. Section 5 of the Act directs the Superintendent of Public Instruction to establish rules and regulations pertaining to the Act.

The effective date of Act 109 is July 1, 1968, and the Office for Aid to Nonpublic Education has been created for administration of the Act under the Commissioner for Basic Education.

These rules and regulations are intended to reflect the policy of the Act, that the secular education purchased under it be quality oriented. The application and proper use of these rules and regulations will aid eligible nonpublic schools satisfactorily to complete documents as required under the Act.

The Superintendent of Public Instruction, pursuant to his responsibility under the Act, hereby issues the accompanying rules and regulations for efficient implementation thereof.

Dr. David H. Kurtzman
Superintendent of Public Instruction

December, 1968

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RULES AND REGULATIONS

INTRODUCTION

The Pennsylvania Nonpublic Elementary and Secondary Education Act (PNESEA) empowers the Superintendent of Public Instruction to contract for the purchase of secular educational services from nonpublic schools located in the Commonwealth, in addition to establishing governing rules and regulations. It further provides that certain revenues from State harness racing and State horse racing shall constitute a separate and special fund (Nonpublic Elementary and Secondary Education Fund) for the financing of all activity under the Act. No public school funds may be involved.

The costs of secular educational service are limited to teachers' salaries, textbooks and instructional materials, in the fields of mathematics, modern foreign languages, physical science, and physical education. The Superintendent of Public Instruction shall approve textbooks and other instructional materials, employed in the instruction hereunder, and shall insure that a satisfactory level of performance in contracted-for subjects shall have been attained through standardized testing.

Teacher certification standards are imposed as a condition for payment under PNESEA. After five years following the effective date of the Act, it must be shown that the secular educational service for which payment is sought was rendered by a teacher holding certification approved by the Department of Public Instruction as equal to Commonwealth standards for teachers in the public schools. A person who, on July 1, 1968, was a full time teacher in a nonpublic school is deemed (for purposes of the Act) to come within this certification requirement.

Requests for payment for secular educational service rendered must be made on DPI Forms PINPE 1 through 7. Any nonpublic school seeking such payment shall maintain such accounting procedures, including maintenance of separate funds and accounts pertaining to the cost of secular educational service, as to establish that it actually expended in support of such service an amount of money equal to the amount of money for which payment is sought. Such accounts shall be subject to audit by the Auditor General and must be validated by the Department of the Auditor General.

Secular educational service contracted hereunder must have been rendered prior to payment by the Superintendent of Public Instruction, who shall make payment in four equal installments on the first day of September, December, March, and June of the school term following the school term in which secular educational service was rendered.

DEFINITIONS

1. "Act" means the Nonpublic Elementary and Secondary Education Act, (Act 109, June 19, 1968), also referred to as "PNESEA".

2. "Pupil" means a resident of the Commonwealth who is in attendance in a nonpublic elementary or secondary school in Pennsylvania wherein he complies with the requirements of the Compulsory School Attendance Law (Sections 1326 and 1327, Public School Code of 1949). Secular educational services compensable under this Act are limited to the regular school term. Summer sessions where attendance is mandatory, voluntary or optional shall not be considered compensable under this Act. Special education institutions, which otherwise qualify, shall be eligible for only nine months (term) of a continuous twelve month program.

3. "Nonpublic school" shall mean any school other than a public school within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements of law.

4. "Textbooks" means books, reusable workbooks, or manuals, whether bound or in looseleaf form, intended for use as a principal source of study material for a given class or group of students, a copy of which is expected to be available for the individual use of each pupil in such class or group.

5. "Instructional materials" means books, periodicals, documents, pamphlets, photographs, reproductions, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, including but not limited to those on discs and tapes; processed slides, transparencies, films, filmstrips, kinescopes, and video tapes, or any other printed and published materials of a similar nature made by any method now developed or hereafter to be developed. The term includes those printed and published instructional materials, and also portable instructional equipment, suitable for and to be used by children and teachers in elementary and secondary schools and which with reasonable care and use may be expected to last more than one year. The term does not include furniture, non-portable equipment or items normally affixed to the realty or forming a part of a building structure.

6. "Teacher" means a person who is engaged in rendering secular educational service under the Act.

7. "Nonpublic Elementary and Secondary Education Fund" shall mean the fund created by the Act.

8. "Secular educational service" shall mean the providing of instruction in a secular subject.

9. "Secular subject" shall mean any course which is presented in the curricula of the public schools of the Commonwealth and shall not include any subject matter expressing religious teaching, or the morals or forms of worship of any sect. Secular educational service purchased under this Act shall consist solely of courses in the subjects of mathematics, modern foreign languages, physical science, and physical education.

10. "Purchase secular educational service" shall mean the purchase by the Superintendent of Public Instruction from a nonpublic school, pursuant to contract, of secular educational service at the reasonable cost thereof.

11. "Reasonable cost" shall mean the actual cost to a nonpublic school of providing a secular educational service, and shall be deemed to include solely the cost pertaining thereto of teachers' salaries, textbooks, and instructional materials.

12. "Mathematics" shall mean the science of numbers and their operations, interrelations, combinations, generalizations, and abstractions and of space configurations and their structure, measurement, transformations, and generalizations. It includes the study of number, space, and structural patterns. Branches of mathematics include arithmetic, algebra, geometry, trigonometry, calculus, analysis, probability, statistics, logic, and number theory.

13. "Modern foreign languages" is a term collectively applied to the study of pronunciation, grammar, composition and reading of foreign languages in contemporary use, as contrasted with that of the ancient, or "dead", languages commonly called the classics.

14. "Physical education" refers to that part of the school program which provides guidance and instruction through physical activities designed to meet the needs of pupils in developing their physical efficiency and recreational skills, and, along with other phases of the curriculum, provides maximum opportunity for growth physically, mentally, emotionally, and socially. It includes adaptive physical education for those pupils who, because of health reasons, are unable to participate in regular classes. "Physical education" does not consist of instruction in music, driver education, military training, or extramural or interscholastic athletics and/or sports. Health instruction is not considered physical education.

15. "Physical science" is organized knowledge about the physical composition and structure of phenomena and the process of relating quantitative or qualitative description of physical phenomena related to time, space, mass, or derived concepts in a manner that is in agreement with all observed properties of these phenomena. "Physical science" includes the basic sciences of chemistry, physics, astronomy, geology, physical oceanography, and meteorology as well as the areas of specialization derived from these.

GENERAL PROVISIONS

1. PNESEA is solely for the benefit of children who are residents of Pennsylvania and of compulsory school age. Therefore, requests for payment, under contracts for purchase of secular educational service, shall reflect only the cost of teachers' salaries, textbooks, and instructional materials, based upon ratio of resident pupils to total pupils in any course, for instruction in which payment is sought under the Act.

2. Eligible institutions must satisfy the requirements of the compulsory school attendance laws of the Commonwealth as fulfilled through nonpublic education. (See Sections 1326, 1327 and 1501 of the Public School Code of 1949.)

3. Private business and trade schools are not eligible for contracting under the provisions of Act 109.

4. Instructions for completion of applicable forms are attached hereto and made a part hereof as Addendum I.

5. Textbooks

A. Approved textbooks shall not be special religiously—or denominationally—oriented editions. A textbook carrying an "imprimatur" or other designation by a religious authority will not be approved. The Department may examine textbooks employed in instruction for which payment under PNESEA is sought to insure their secular content.

B. A list of textbooks used by participating nonpublic schools in programs for which payment is sought under PNESEA shall be submitted to the Superintendent of Public Instruction by the nonpublic schools. Thereafter, the Superintendent of Public Instruction shall review such list and will notify the nonpublic school of his approval, in whole or in part, of the list of textbooks, being guided by the requirements of the Act. All textbooks currently employed in Pennsylvania's public schools shall qualify as textbooks "approved" by the Superintendent of Public Instruction.

C. To the extent that the cost of textbooks or materials has been paid from federal, State, county, or other public funds, such cost may not be claimed for payment under this Act.

6. The administration of standardized tests, approved by the Superintendent of Public Instruction, shall be the responsibility of each contracting nonpublic school. The titles of tests to be employed, together with profiles, if available, shall be submitted at the time of submission of the application for his approval.

7. Nursery schools, kindergartens, post high schools, night high schools and correspondence schools are not eligible for participation under provisions of Act 109.

8. The Act does not permit the purchase of secular educational services for Pennsylvania students attending nonpublic elementary or secondary schools outside of the Commonwealth.

9. The Superintendent of Public Instruction will recognize nonpublic school superintendents or otherwise designated nonpublic school administrators, as agents for two or more schools under

their respective jurisdictions. Such officials may serve as a central agency for distribution and review of the necessary documents required under the Act. This central agency will serve as an effective line of communication between the Superintendent of Public Instruction and contracting nonpublic schools.

10. To properly implement the Act, the contractor's substantial adherence to an established effective target or deadline date is imperative. Failure of compliance within a reasonable time, where due notice has been given, may be deemed grounds for cancellation.

11. Schools now being reimbursed by the Bureau of Special Education program for Exceptional Children (Sections 1371, 1376, and 1377, Public School Code of 1949, as amended), will not be eligible for additional payment under this Act.

12. Errors discovered by audit will be subject to adjustment.

13. Salaries claimed for repayment under the contract shall be actual salaries but not exceeding the minimum salary mandated for public school teachers under the Public School Code of 1949, as amended or supplemented.

14. Standardized Tests

"The Minimum Testing Program for the Public Schools of The Commonwealth of Pennsylvania", as approved by the State Board of Education and the Department of Public Instruction indicates that, to be effective, a testing program must be based on local needs. Therefore, the grade assignment for testing, the selection of tests, their administration, and use remain the responsibility of each nonpublic school. However, by regulation of the State Board of Education, all public schools must provide the following minimum testing program although many districts supplement this testing program with additional tests to provide a more comprehensive analysis of the pupil abilities and needs.

A. The Minimum Testing Program in the public schools, grades 1 through 6, shall consist of a test of mental ability or scholastic aptitude and an achievement battery or individual subject achievement tests in the major school subjects administered at least twice in grades 1–6.

B. The Minimum Testing Program in the public schools, grades 7 through 12, shall consist of a test of mental ability, scholastic aptitude or multifactor aptitude and an achievement battery or individual subject achievement tests in the major subjects administered at least twice in grades 7–12.

In view of the State Board Regulations, and with a desire to encourage the use of test instruments which will ultimately provide useful information about students as they progress from educational level to educational level within the nonpublic school or upon transfer to the public school system, we believe an advisory list of tests compiled from surveys taken by the Bureau of Guidance Services would serve to identify those tests currently used by the public schools and enable the nonpublic schools to select tests which will provide a continuous and comparable base of test data.

Standardized testing is designated as testing for the purpose of ascertaining the levels of pupil aptitude, achievement, and interest, in support of educational activities such as student self-appraisal, educational planning by school personnel, and parental information.

A standardized test is one which has a fixed set of test items developed by test specialists, pretested to determine their suitability and item difficulty, normative data representing appropriate groups, and a test manual which includes standard directions for administering and scoring the test as well as interpreting and using the results.

Excluded for use are tests, scales, inventories, projective techniques, or other devices designed to collect information regarding the student's social, moral, spiritual, or family values, relationships, or adjustments.

The cost of standardized tests required under PNESEA shall be considered compensable as part of the cost of instructional materials.

15. The Superintendent of Public Instruction reserves the right to modify, alter, or change these rules and regulations as conditions warrant. In addition, he may prepare supplements to existing rules and regulations and cause such to be published.

16. Five years following the effective date of the Act, secular educational service for which payment is sought must be rendered by a teacher holding certification approved by the Department of Public Instruction (Bureau of Teacher Education) as equal to standards of the Commonwealth for teachers in the public schools. Secular educational service in a subject covered by the Act, for which payment under the Act is sought, must have been rendered by a teacher holding certification in that subject area.

17. Materials purchased for sustaining a varsity sport program shall not be declared compensable under the instructional material provisions of the Act.

18. On Form PINPE 4, Salaries Expenditure List, use the appropriate symbol below to identify *Type of Certificate.* (May also be used in "Certificates Held" on PINPE 7)

Symbol	*Type*
01	Emergency
05	Limited Special
15	Extension Standard
20	Extension
25	Temporary Standard (Elementary)
30	State Standard Limited
35	Interim Standard
40	Standard
45	Normal Certificate
50	Interim
60	Provisional
65	Normal Diploma
70	Permanent Standard
80	Permanent
85	Master's Equivalent
90	Eligibility
A	Deemed to be certificated for purposes of the Act
B	None

19. Permission to reproduce existing forms is granted to all institutions who may require additional copies.

20. The Contract duly executed by the applicant, shall be filed with the Department on or before *January 15, 1969.* (Add one year for succeeding years in the event of any revision of initial Contract.)

All other required supportive documents as identified in rules, regulations, and instructions, shall be properly completed and filed with the Department on or before *June 15* of each year.

ADDENDUM I
INSTRUCTIONS

Institutions which elect to participate under the provisions of Act 109, approved June 19, 1968 must submit documents under the procedural pattern contained on page 27 of this booklet of rules and regulations. The documents required for implementing the Act, together with the numbers, titles and submission dates are as follows:

FORM NO.	*TITLE*	*SUBMISSION DATE*
PINPE 1	Nonpublic School Registry and Statistics	Jan. 15, 1969*
PINPE 2	Agreement, Schedule A (Contract)	Jan. 15, 1969*
PINPE 3	Application for Nonpublic School Aid	June 15, 1969*
PINPE 4	Salaries	June 15, 1969*
PINPE 5	Textbook List for Nonpublic Schools	June 15, 1969*
PINPE 6	Instructional Materials List	June 15, 1969*
PINPE 7	Roster of Nonpublic School Teachers	Jan. 15, 1969*

* Add one year for comparable action in subsequent years.

An application and all accompanying forms must be submitted for each school, but may be submitted through a central agent as indicated on the Registry and Statistics Form (See PINPE 1). An Application (PINPE 3) will be accepted only for schools which have a contract for rendering secular educational service to nonpublic students (PINPE 2). The amounts listed on the application should agree with the total submitted for Salaries (PINPE 4); for Textbooks (PINPE 5); and for Instructional Materials (PINPE 6).

The Application, together with all accompanying forms, constitutes a complete and accurate presentation of the financial operations and related provisions of Act 109 of 1968. All forms have been prepared in accordance with the rules and regulations promulgated by the Superintendent of Public Instruction. Expenditures as reflected on the various forms of the application must be kept separate from other school expenses and all forms utilized in implementing the provisions of Act 109 shall be subject and available for audit at the principal site of the records repository of the submitting institution.

NONPUBLIC SCHOOL REGISTRY AND STATISTICS

PINPE 1

This form must be submitted in two copies and represents a nonpublic school's registry and will serve to convey to the Office for Aid to Nonpublic Education basic budgetary information and sundry other institutional statistics. Most of the information sought is self-explanatory and need not require clarification here. In Item #6, pupils shall be designated as either residents of the Commonwealth of Pennsylvania or nonresidents of the Commonwealth of Pennsylvania, since Act 109 covers only pupils who are residents of Pennsylvania. Item #10 will not be completed during the initial year for which application for nonpublic school funds is made. Item #10 will be required in 1969-1970 and each succeeding year. In Item #12, a superintendent having jurisdiction over more than one contracting institution may be designated as the central agent for such institutions. This item is used only for that situation and this person may be the same person authorized to sign contracts and other forms for the nonpublic schools. (Items #13 and #14)

CONTRACT

PINPE 2

This instrument must be signed by the school official authorized by the institution to execute

such a document. This document will be signed and submitted together with the Nonpublic School Registry and Statistics (PINPE 1) and Roster of Nonpublic School Teachers (PINPE 7) on or before *Jan. 15, 1969.* The Superintendent of Public Instruction shall affix his signature after review of existing information thereby validating the existence of a contract between the Superintendent of Public Instruction and the eligible institution.

APPLICATION FOR NONPUBLIC SCHOOL AID

PINPE 3

This form will be submitted by all duly registered and eligible institutions on or about *June 15, 1969.* This form shall represent a financial report and shall convey information as to how the budgetary or estimated cost on the PINPE 1 was consummated. It must be submitted in two copies and each copy should be accompanied by the back-up information on PINPE Forms 4, 5, and 6.

SALARIES EXPENDITURE LIST

PINPE 4

TEXTBOOK LIST FOR NONPUBLIC SCHOOLS

PINPE 5

INSTRUCTIONAL MATERIALS LIST

PINPE 6

PINPE 4, 5, and 6 contain instructions on the face of the forms and must accompany PINPE 3 when institutions submit their application to the Department not later than *June 15, 1969.*

Participating institutions are hereby informed that applications received after this date shall not be considered for payment under the provisions of Act 109. Administrative policy and administrative implementation of the Act direct that the Department begin payment to eligible institutions by September 1, 1969. Failure to adhere to the final date will result in such late application being declared null and void and constitute cancellation of such contract. Forfeited funds will be reallocated to all other eligible institutions which comply with the due dates.

ROSTER OF NONPUBLIC SCHOOL TEACHERS

PINPE 7

The Roster of Nonpublic School Teachers (PINPE 7) must be submitted in two copies on *Jan. 15, 1969.* It will not be necessary to submit this Roster in full in subsequent years since only changes will be required. This form is used to register teachers under Section 4 of the Act. Please note instructions below with reference to registration of teachers if a school does not apply for financial aid for 1968-69.

Nonpublic schools which declare their intent to participate and request documents and receive all documents from the Office for Aid to Nonpublic Education are not necessarily bound to consummate such documents if they elect not to participate. However, if an institution does not decide to participate but has on its faculty roster noncertificated teachers, such teachers cannot be considered under Section 4 of the Act. An institution, which does not elect to participate, should send to the Department of Public Instruction a roster of its faculty—principally the noncertificated teachers—and which faculty members have been duly on the roster of such institution as of July 1, 1968. The Superintendent of Public Instruction may deem such faculty personnel as satisfying the requirements under the provisions of the Act and they shall be qualified as certificated teachers and will be permitted to teach in any nonpublic school in Pennsylvania on the basis of their having been registered as noncertificated teachers effective July 1, 1968.

Commonwealth of Pennsylvania - Department of Public Instruction

NONPUBLIC SCHOOL REGISTRY AND STATISTICS

Date

School Year

PINPE-1 (11/68)

1. Official Name of Nonpublic Institution

FOR DPI USE ONLY — Code No.

Address - Street | City | Zip Code | County

Area Code & Phone

2. Type of School

A. (Check One)

☐ Religious Affiliated ☐ Proprietary
☐ Non-Denominational ☐ Other

B. (Check One)

☐ Elementary ☐ Elementary & Secondary
☐ Secondary

3. Organization

☐ 1-6 ☐ 8-4 ☐ 6-6
☐ 1-8 ☐ 6-3 ☐ 4-4-4
☐ 6-3-3 ☐ Other:

4. Accredited

☐ Middle States ☐ Other:

☐ DPI Approved ☐ Licensed ☐ Neither

5. Do You Operate:	YES	NO
180 days or more per year?		
5½ hours of daily instruction?		
between 8:00 A.M. and 4:00 P.M.?		

6. Total Number Of:

Pupils	Pa. Resident	Non-Resident
Certificated Teachers	Non-Certificated	Administrators

7. Facilities

☐ Library ☐ Instructional Materials Center ☐ Language Labs ☐ Science Labs ☐ Gym ☐ Cafeteria

Number of Classrooms | Number of Buildings | Physical Education Facilities ☐ Indoor ☐ Outdoor

8. Check Fields for Which Payment is Claimed

☐ Math ☐ Physical Science ☐ Physical Education ☐ Modern Foreign Languages

9. List Budget for Secular Educational Services for Which Payment is to be Claimed.

AREAS	BUDGET AMOUNT	FOR DPI USE ONLY: APPROVED	% OF ALLOTMENT	TOTAL PAYMENT
Salaries	$			
Textbooks	$			Quarterly Payments
Instructional Materials	$			
TOTAL	$			

10. Contract Continuity Statement - Beginning School Year 1969-70	YES	NO
(1) Was a contract for Secular Educational Services in force last year?		
(2) Is the school official who signed last form still the responsible officer of the school?		
NOTE: If the answer to either (1) or (2) was **"NO"** answer the following: (3) Did you apply for a new contract?		
(4) Was a new contract signed for the current year?		
(5) Do you desire copies of new contract form included with current application?		

11. Standardized Tests Used

NAME OF TEST	DATE LAST ADMINISTERED	GRADES IN WHICH ADMINISTERED	PROFILE ATTACHED	
			YES	NO

12. Superintendent or Administrator having jurisdiction over this and at least one other contracting institution.

Name of Central Agent	Title

Address - Street City Zip Code

13. Superintendent or Administrator authorized to sign contract for the rendering of Secular Educational Services and other required forms.

Name	Title

Address - Street City Zip Code County

FOR DPI USE ONLY		
REVIEWED BY:	INITIALS	DATE
Office For Aid to Nonpublic Education		
Comptroller		
Auditor General		

14. Signature of Person Completing Report Date

Title

AGREEMENT

This agreement made this ..... day of ....., 19 , between the Superintendent of Public Instruction, Commonwealth of Pennsylvania, hereinafter referred to as the "Superintendent", and ..... School, of ....., Pennsylvania, hereinafter referred to as the "School",

WITNESSETH THAT:

WHEREAS, the General Assembly has enacted the Nonpublic Elementary and Secondary Education Act (Act 109 of 1968), approved by the Governor June 19, 1968, which authorizes the Superintendent to enter into contracts with nonpublic schools for the purchase therefrom of secular educational services; and

WHEREAS, pursuant to the requirements of said Act, the Superintendent has issued Rules and Regulations;

NOW, THEREFORE, it is agreed:

1. Pursuant to the terms of the Act, and of the Rules and Regulations, which are hereby incorporated into this Agreement and made a part thereof, the School will sell, and the Superintendent will purchase, the secular educational services provided during the school year as set forth in Schedule A hereto attached.

2. This agreement will automatically be renewed for an additional year upon the filing by the School, with the Superintendent, of a new Schedule A for each succeeding year.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives have hereunto affixed their signatures and attached their seals this day and year first above written.

ATTEST: SUPERINTENDENT OF PUBLIC INSTRUCTION

..... By .....

ATTEST: ..... School,

...., Pennsylvania

By .....

PINPE 2

SCHEDULE A

SCHOOL YEAR 19____ TO 19____

NAME OF SCHOOL _____

SUBJECT	GRADE	1ST SEMESTER		2ND SEMESTER	
		NUMBER OF CLASS HOURS	NUMBER OF PUPILS	NUMBER OF CLASS HOURS	NUMBER OF PUPILS

PINPE 2

SCHEDULE A

Commonwealth of Pennsylvania - Department of Public Instruction

APPLICATION FOR NONPUBLIC SCHOOL AID

Date
School Year

PINPE-3 (11/68)

INSTRUCTIONS: An application and all accompanying forms must be submitted in duplicate for each school, but may be submitted through a central agency according to the Registry (PINPE-1). Applications will be accepted only for schools that have a valid contract for giving Secular Instruction to Nonpublic Students (PINPE-2). The amounts listed below should agree with the total submitted for Salaries on PINPE-4; for Textbooks on PINPE-5; and for Instructional Materials on PINPE-6.

ATTESTATION: This application and all accompanying forms constitute a complete and accurate presentation of the financial operations and related provisions of Act 109 of 1968. This form has been prepared in accordance with the Guidelines, Rules and Regulations of the Office for Aid to Nonpublic Education. The expenditures submitted below have been kept segregated from other expenditures of the school and are available for audit at the address below.*

Name of Institution	County	DPI Code No.

* Address - Street	City	Zip Code

To be completed by applying school or agent.

EXPENDITURE CLASS	FORM NUMBER	NUMBER OF PAGES	AMOUNT	FOR DPI USE ONLY AMOUNT APPROVED FOR PAYMENT
Salaries	PINPE-4			
Textbooks	PINPE-5			
Instructional Materials	PINPE-6			
TOTAL				
Payment for September, December, March (¼ of Approved Total)				
Adjusted Final Payment for June				

Total Number of Pupils		Signature-According to Registry (PINPE-1)
Total Number of Pennsylvania Resident Pupils		Title
Total Non-Resident Pupils		

Commonwealth of Pennsylvania - Department of Public Instruction

SALARIES EXPENDITURE LIST

NONPUBLIC SCHOOLS

PINPE-4 (11/68)

Date

School Year

PAGE OF PAGES

INSTRUCTIONS: Submit two (2) copies. Enter subject taught (NOT the subject area); give name of each teacher for that subject and percent of time devoted to the subject. Compare salary paid for this subject but not to exceed public schools salaries. See Rules & Regulations for Certificate Codes.*

Name of Institution

DPI Code No.

Subject Taught and Name of Teacher (Last Name First)	Grade Taught	Date Employed	*Type Cert.	% of Time	Prorata Cost of Salary	FOR DPI USE ONLY

COMPLETE TOTAL ON REVERSE SIDE

Subject Taught and Name of Teacher (Last Name First)	Grade Taught	Date Employed	*Type Cert.	% of Time	Prorata Cost of Salary	FOR DPI USE ONLY
					TOTAL (Last Page Only)	

Commonwealth of Pennsylvania - Department of Public Instruction

TEXTBOOK LIST

NONPUBLIC SCHOOLS

PINPE-5 (11/68)

Date

School Year

PAGE OF PAGES

INSTRUCTIONS: Submit two (2) copies. List all books used in the subject areas for which reimbursement is requested (Mathematics, Modern Foreign Languages, Physical Science, Physical Education). Enter costs only for books purchased for the current school year. Indicate subject area as: Math, MFL, PS or PE and whether new (N) or Replacement (R).

Name of Institution

DPI Code No.

Title of Textbook & Name of Publisher	Subject Area	Grade Where Used	N or R	No. Bought Current Year	Cost Each	Total Cost	FOR DPI USE ONLY

COMPLETE TOTAL ON REVERSE SIDE

Title of Textbook & Name of Publisher	Subject Area	Grade Where Used	N or R	No. Bought Current Year	Cost Each	Total Cost	FOR DPI USE ONLY
					TOTAL (Last Page Only)		

Commonwealth of Pennsylvania - Department of Public Instruction

INSTRUCTIONAL MATERIALS LIST

NONPUBLIC SCHOOLS

PINPE-6 (11/68)

Date

School Year

PAGE OF PAGES

INSTRUCTIONS: Submit two (2) copies. List all purchases for the current school year in the subject areas for which reimbursement is requested. (Mathematics, Modern Foreign Languages, Physical Science, Physical Education). Indicate subject area as: Math, MFL, PS or PE and whether New (N) or Replacement (R).

Name of Institution

DPI Code No.

Name of Item & Manufacturer or Vendor	Subject Area	Grade Where Used	N or R	Expected Life (Yrs.)	No. Bought Current Year	Cost Each	Total Cost	FOR DPI USE ONLY

COMPLETE TOTAL ON REVERSE SIDE

Name of Item & Manufacturer or Vendor	Subject Area	Grade Where Used	N or R	Ex-pected Life (Yrs.)	No. Bought Current Year	Cost Each	Total Cost	FOR DPI USE ONLY
						TOTAL (Last Page Only)		

Commonwealth of Pennsylvania - Department of Public Instruction

ROSTER OF NONPUBLIC SCHOOL TEACHERS

PINPE-7 (11/68)

Date

School Year

PAGE OF PAGES

INSTRUCTIONS: List all teachers in subject areas for which reimbursement is being requested.
N.B. In subsequent years submit only changes to the 1968-69 submission. Indicate deletions.

Institution

FOR DPI USE ONLY

Code No.

Address - Street

City

Zip Code

County

Name of Teacher and Social Security Number	Certificated?		Non-Cert. Full-Time Teaching 7-1-68		Subject(s) Taught	Birth Date Mo.-Day-Yr.	Degrees Held and College Where Earned	Major Fields of Study	Certificates Held (Pa. and Others)
	Yes	No	Yes	No					

Signature (Authorized Official)

Date

PENNSYLVANIA NONPUBLIC ELEMENTARY AND SECONDARY EDUCATION ACT

Introduced as H. 2170 December 12, 1967. Amended by Senate June 11, 1968. Signed into law June 19, 1968.

AN ACT

To promote the welfare of the people of the Commonwealth of Pennsylvania; to promote the secular education of children of the Commonwealth of Pennsylvania attending nonpublic schools; creating a Nonpublic Elementary and Secondary Education Fund to finance the purchase of secular educational services from nonpublic schools located within the Commonwealth of Pennsylvania for the benefit of residents of the Commonwealth of Pennsylvania; authorizing the Superintendent of Public Instruction to enter into contracts to carry out the intent and purposes of this act, and to establish such rules and regulations as are necessary; providing for the payment of administrative costs incident to the operation of the act; providing procedures for reimbursement in payment for the rendering of secular educational service; and designating a portion of revenues of the State Harness Racing Fund and of the State Horse Racing Fund as the sources of funds.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.—This act shall be known and may be cited as the "Nonpublic Elementary and Secondary Education Act."

Section 2. Legislative Finding; Declaration of Policy.—It is hereby determined and declared as a matter of legislative finding—

(1) That a crisis in elementary and secondary education exists in the Nation and in the Commonwealth involving (i) the new recognition of our intellectual and cultural resources as prime national assets and of the national imperative now to spur the maximum educational development of every young American's capacity; (ii) rapidly increasing costs occasioned by the rise in school population, consequent demands for more teachers and facilities, new but costly demands, in the endeavor for excellence, upon education generally; the general impact of inflation upon the economy; and the struggle of the Commonwealth, commonly with many other states, to find sources by which to finance education, while also attempting to bear the mounting financial burden of the many other areas of modern State governmental responsibility;

(2) That nonpublic education in the Commonwealth today, as during past recent decades, bears the burden of educating more than twenty per cent of all elementary and secondary school pupils in Pennsylvania; that the requirements of the compulsory school attendance laws of the Commonwealth are fulfilled through nonpublic education;

(3) That the elementary and secondary education of children is today recognized as a public welfare purpose; that nonpublic education, through providing instruction in secular subjects, makes an important contribution to the achieving of such public welfare purpose; that the governmental duty to support the achieving of public welfare purposes in education may be in part fulfilled through government's support of those purely secular educational objectives achieved through nonpublic education;

(4) That freedom to choose nonpublic education, meeting reasonable State standards, for a child is a fundamental parental liberty and a basic right;

(5) That the Commonwealth has the right and freedom, in the fulfillment of its duties, to enter into contracts for the purchase of needed services with persons or institutions whether public or nonpublic, sectarian or nonsectarian;

(6) That, should a majority of parents of the present nonpublic school population desire to remove their children to the public schools of the Commonwealth, an intolerable added financial burden to the public would result, as well as school stoppages and long term derangement and impairment of education in Pennsylvania; that such hazard to the education of children may be substantially reduced and all education in the Commonwealth improved through the purchase herein provided of secular educational services from Pennsylvania nonpublic schools.

Section 3. Definitions.—The following terms whenever used or referred to in this act shall have the following meanings, except in those instances where the context clearly indicates otherwise:

(1) "Nonpublic Elementary and Secondary Education Fund" shall mean the fund created by this act.

(2) "Secular educational service" shall mean the providing of instruction in a secular subject.

(3) "Secular subject" shall mean any course which is presented in the curricula of the public schools of the Commonwealth and shall not include any subject matter expressing religious teaching, or the morals or forms of worship of any sect.

(4) "Nonpublic school" shall mean any school, other than a public school, within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements of law.

(5) "Purchase secular educational service" shall mean the purchase by the Superintendent of Public Instruction from a nonpublic school, pursuant to contract, of secular educational service at the reasonable cost thereof.

(6) "Reasonable cost" shall mean the actual cost to a nonpublic school of providing a secular educational service and shall be deemed to include solely the cost pertaining thereto of teachers' salaries, textbooks and instructional materials.

Section 4. Nonpublic Elementary and Secondary Education Fund.—There is hereby created for the special purpose of this act a Nonpublic Elementary and Secondary

Education Fund dedicated to the particular use of purchasing secular educational service consisting of courses solely in the following subjects: mathematics, modern foreign languages, physical science, and physical education, provided, however, that as a condition for payment by the Superintendent of Public Instruction for secular educational service rendered hereunder, the Superintendent of Public Instruction shall establish that (i) solely textbooks and other instructional materials approved by the Superintendent of Public Instruction shall have been employed in the instruction rendered; (ii) a satisfactory level of pupil performance in standardized tests approved by the Superintendent of Public Instruction, shall have been attained; (iii) after five years following the effective date of this act, the secular educational service for which reimbursement is sought was rendered by teachers holding certification approved by the Department of Public Instruction as equal to the standards of this Commonwealth for teachers in the public schools: Provided, however, That any such service rendered by a teacher who, at the effective date of this act, was a full time teacher in a nonpublic school, shall be deemed to meet this condition.

Section 5. Administration.—The administration of this act shall be under the direction of the Superintendent of Public Instruction, who shall establish rules and regulations pertaining thereto, make contracts of every name and number, and execute all instruments necessary or convenient for the purchase of secular educational service hereunder. All expenses incurred in connection with the adminstration of this act shall be paid solely out of the Nonpublic Elementary and Secondary Education Fund and no money raised for the support of the public schools of the Commonwealth shall be used in connection with the administration of this act.

Section 6. Moneys for Fund.—(a) Permanent moneys. Into the Nonpublic Elementary and Secondary Education Fund shall be paid each year:

(1) All proceeds from horse racing up to the first ten million dollars ($10,000,000) realized by the State Horse Racing Fund established by the act of December 11, 1967 (Act No. 331), remaining after, and not required for, payment of all of the items of administrative cost set forth in subsection (b) of Section 18 of that act, plus

(2) One-half of all such horse racing proceeds in excess of the sum of ten million dollars ($10,000,000), the remaining half thereof to be paid into the General Fund.

(b) Temporary moneys. Until the time that proceeds in the amount of ten million dollars ($10,000,000) shall, in a given fiscal year, have been paid into the Nonpublic Elementary and Secondary Education Fund as provided for under subsection (a) of Section 6 hereof, three-fourths of the proceeds from harness racing realized by the State Harness Racing Fund established by the act of December 22, 1959 (P. L. 1978), as amended, remaining after and not required for, the payments provided for in subsections (b) and (d) of Section 16 of that act, shall be paid into the Nonpublic Elementary and Secondary Education Fund according to the following formula:

(1) The entire three-fourths of the harness racing proceeds for any fiscal year shall be paid into the Nonpublic Elementary and Secondary Education Fund until such year

as the horse racing proceeds designated by this section for the said fund are of such amount that, combined with the harness racing proceeds, the sum of ten million dollars ($10,000,000) shall have been realized by the Nonpublic Elementary and Secondary Education Fund.

(2) Proceeds from harness racing shall cease to be paid into the Nonpublic Elementary and Secondary Education Fund for any fiscal year in which proceeds from horse racing, designated by this section for the Nonpublic Elementary and Secondary Education Fund, shall equal ten million dollars ($10,000,000).

Moneys in the Nonpublic Elementary and Secondary Education Fund are hereby appropriated to the Department of Public Instruction to be used by the Superintendent of Public Instruction solely for the purchase of secular educational service hereunder and administrative expenses pertaining thereto as provided for in Section 5 of this act.

Section 7. Reimbursement Procedures.—(a) Requests for reimbursement in payment for the purchase of secular educational service hereunder shall be made on such forms and under such conditions as the Superintendent of Public Instruction shall prescribe. Any nonpublic school seeking such reimbursement shall maintain such accounting procedures, including maintenance of separate funds and accounts pertaining to the cost of secular educational service, as to establish that it actually expended in support of such service an amount of money equal to the amount of money sought in reimbursement. Such accounts shall be subject to audit by the Auditor General. Reimbursement payments shall be made by the Superintendent of Public Instruction in four equal installments payable on the first day of September, December, March and June of the school term following the school term in which the secular educational service was rendered.

(b) Reimbursements for any fiscal year for the purchase of secular educational service hereunder shall not exceed the total amount of the moneys which were actually paid into the Nonpublic Elementary and Secondary Education Fund in that fiscal year.

(c) In the event that, in any fiscal year, the total amount of moneys which were actually paid into the Nonpublic Elementary and Secondary Education Fund shall be insufficient to pay the total amount of validated requests hereunder in reimbursement for that year, reimbursements shall be made in that proportion which the total amount of such requests bears to the total amount of moneys in the Nonpublic Elementary and Secondary Education Fund.

(d) The Budget Secretary shall, by July fifteenth of each year, certify to the Superintendent of Public Instruction, the total amount of money in the Nonpublic Elementary and Secondary Education Fund.

Section 8. Effective Date.—This act shall take effect July 1, 1968.

Section 9. Severability.—If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect, in all valid applications that are severable from the invalid applications.

NONPUBLIC ELEMENTARY AND SECONDARY EDUCATION ACT
Act 109 of 1968

IMPORTANT DATES

October 8, 1968	PNESEA Memo No. 1 announcing availability of documents: 1. Requiring letter of intent to participate 2. Requesting copy of Rules and Regulations Direct correspondence and requests to: Office for Aid to Nonpublic Education Department of Public Instruction Box 911 Harrisburg, Pennsylvania 17126 Phone (717) 787-7100
November 15, 1968	Last day for receipt of letters of intent.
November 30, 1968	Mailing of documents to eligible institutions: Registry - PINPE 1 — Certification - PINPE 7 Contract - PINPE 2 — Rules and Regulations
January-April 1969	INSTRUCTIONAL SEMINARS - PNESEA Memo No. 2
*January 15, 1969	Eligible institutions to return completed forms: Registry - PINPE 1 — Certification - PINPE 7 Contract - PINPE 2
*April 15, 1969	Mailing of documents to registered schools: Application - PINPE 3 — Textbooks - PINPE 5 Salary - PINPE 4 — Instructional Materials - PINPE 6
*June 15, 1969	FINAL DATE for returning completed forms to Office for Aid to Nonpublic Education (Submit through central agency if permitted). Application - PINPE 3 — Textbooks - PINPE 5 Salary - PINPE 4 — Instructional Materials - PINPE 6 NOTE: Forms received after June 15, 1969 will not be eligible for current contract under provisions of Act 109.
*June 15, 1969 to July 14, 1969	Review of applications by Superintendent of Public Instruction and Office for Aid to Nonpublic Education.
*July 15, 1969	Secretary of Administration to notify Superintendent of Public Instruction as to monies available for payment of contracted services.
*July 15, 1969	Preparation of Voucher Transmittal for payment.
*September 1, 1969	First quarter payment to institutions for secular educational services rendered.
*December 1969	Second)
*March 1970	Third) Quarterly payments
*June 1970	Fourth)

*Add one year for comparable action in subsequent years